



PATENT
Customer No. 22,852
Attorney Docket No. 05725.0398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Roland DE LA METTRIE et al.) Group Art Unit: 1751
)
Application No.: 09/319,204) Examiner: M. Einsmann
)
CPA Filed: July 17, 2001)
)
For: COMPOSITION FOR THE)
OXIDATION DYEING OF KERATIN)
FIBERS AND DYEING PROCESS)
USING THIS COMPOSITION)

Commissioner for Patents
P.O. Box 1450
Washington, DC 20231

Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal S.A., duly organized under the laws of France and having its principal place of business at 14, rue Royale, F-75008 Paris, France, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 09/319,204, originally filed June 30, 1999, for COMPOSITION FOR THE OXIDATION DYEING OF KERATIN FIBERS AND DYEING PROCESS USING THIS COMPOSITION in the names of Roland DE LA METTRIE et al., as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 010131, Frame 0885 on June 30, 1999. Assignee, L'Oréal S.A., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,241,784, as indicated by assignment duly recorded in the United

States Patent and Trademark Office at Reel 010050, Frame 0656 on June 2, 1999.

Assignee, L'Oréal S.A., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,342,078, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 010335, Frame 0447 on October 27, 1999.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,241,784 and 6,342,078, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, are terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of the full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

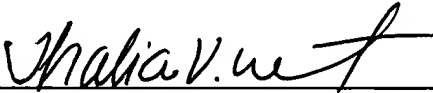
If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 8, 2004

By: 
Thalia V. Warnement
Reg. No. 39,064